

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

JOHNATHAN WAGLEY, §  
§  
Petitioner, § CIVIL ACTION NO. 2:15-CV-00051  
VS. §  
§  
WILLIAMS STEPHENS, §  
§  
Respondent. §

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION  
TO DISMISS CASE FOR FAILURE TO PROSECUTE**

On May 27, 2015, United States Magistrate Judge Jason B. Libby issued his “Memorandum and Recommendation to Dismiss Case for Failure to Prosecute” (D.E. 5). The petitioner was provided proper notice of, and opportunity to object to, the Magistrate Judge’s Memorandum and Recommendation. FED. R. CIV. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been filed.

When no timely objection to a magistrate judge’s memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s memorandum and recommendation. *Guillory v. PPG Industries, Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Services Auto Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge’s Memorandum and Recommendation (D.E. 5), and all other relevant documents in the record, and finding no clear error, the Court **ADOPTS** as its own the findings and conclusions of the Magistrate Judge. Accordingly, the Petitioner’s

Application to Proceed in Forma Pauperis (D.E. 2) is **DENIED** and this action is  
**DISMISSED WITHOUT PREJUDICE.**

ORDERED this 6th day of July, 2015.

  
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NELVA GONZALES RAMOS  
UNITED STATES DISTRICT JUDGE